

MINUTES
Texas Board of Health Meeting
July 25, 2002

The July 25, 2002, meeting of the Texas Board of Health (Board) was called to order at 1:30 p.m., at the Texas Department of Health (TDH), 1100 West 49th Street, Room M-739, Austin, Texas. Mario R. Anzaldua, M.D., Chair, presided. A quorum was present with members George H. McCleskey, Vice-Chair, Raymond Hannigan, Margo Scholin, B.S.N., M.S., J.D., and Amanullah Khan, M.D., Ph.D. in attendance.

Registered Guests

Erin Florence Jones, OZ Systems
Gail Harris, Texas Medical Association
Lillie Gilligan, Glaxo Smith/Kline
Regina Martin, Legislative Budget Board
Heidi Lopez-Cepero, Governor's Office of Budget and Planning
Sister Patricia DeBlieck
Sister Mary Nicholas Vincelli
Louis Brooks, Georgetown Healthcare Systems
Susan Jones, Texas Hospital Association
Jeff Brooks, Association of Texas Medical Equipment Dealers
Nina M. Sisley, M.D.
Greg Vitalich, State Auditor's Office
Karen Hadden, Sustainable Energy and Economic Development (SEED) Coalition
Jim Phillips, UTS
Tim Canber, Merek
D. J. Brys, Central Texas Poison Center
William A. Watson, South Texas Poison Center
Paul Maueut, CSEL
Carlos Guterrez, Texas Association of Builders
Susan Griffin, Texas Medical Association
Susan Murphree, Disability Policy Consortium
Annette Glass, Clerk for House Committee on Environmental Relations Chaired by Representative Warren Chisum
Susan Maxell, Texas Council for Developmental Disabilities
Robert Warren, M.D., Ph.D., M.P.H., Chair, Children with Special Health Care Needs (CSHCN) Advisory Committee
David Kinsey, Health and Human Services Commission

Dr. Anzaldua welcomed guests. Also in attendance at the meeting were Eduardo J. Sanchez, M.D., M.P.H., Commissioner of Health, and other key staff members of TDH.

ON A MOTION MADE BY MR. MCCLESKEY AND SECONDED BY DR. KHAN, THE MINUTES OF THE JUNE 13, 2002 TEXAS BOARD OF HEALTH MEETING WERE APPROVED.

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MR. MCCLESKEY, THE MINUTES OF THE JULY 18, 2002 MEETING OF THE TEXAS BOARD OF HEALTH BUDGET COMMITTEE FOR PUBLIC HEARING ON PROPOSED EXCEPTIONAL ITEM REQUESTS WERE APPROVED.

A resolution was presented to Nina M. Sisley, M.D., upon her retirement as Director of the Corpus Christi-Nueces County Public Health District, in recognition of her contributions to improve the health of the citizens of Texas. (*Attachment I*)

A resolution was presented to Sister Mary Nicholas Vincelli upon her retirement as Director of Community Public Health at the Texas Department of Health, Region 11, in recognition of her exemplary service to the people of the State of Texas and the Texas Department of Health. (*Attachment II*)

Dr. Sanchez spoke regarding recent activities as Commissioner and presented the Commissioner's Report. (*Attachments III-IV*)

Ms. L. Jann Melton-Kissel, Chief, Bureau of Children's Health, presented an update on the Children with Special Healthcare Needs (CSHCN) Program review process.

Robert Warren, M.D., Ph.D., M.P.H., Chair, Children with Special Health Care Needs (CSHCN) Advisory Committee, presented an update about the perspectives of the CSHCN Advisory Committee concerning TDH actions in response to the Health and Human Services Commission recommendations. (*Attachment V*) No action was taken.

Ms. Susan K. Steeg, General Counsel, requested approval to amend proposed rule sections concerning procedures and policies of the Board of Health pertaining to meetings of the board, actions requiring Board approval and the Commissioner of Health. (*Attachment VI*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED THE PROPOSED RULES CONCERNING PROCEDURES AND POLICIES OF THE BOARD FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 60-DAY COMMENT

PERIOD.

Ms. Linda Wiegman, Deputy General Counsel, requested approval of proposed rules to repeal rules concerning federal laws on administrative services to remove obsolete sections in the rules for the Texas Department of Health. (*Attachment VII*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY DR. KHAN, THE BOARD APPROVED THE PROPOSED RULES CONCERNING FEDERAL LAWS ON ADMINISTRATIVE SERVICES FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Patricia Reedy, Public Information Coordinator, Office of General Counsel, requested approval of a proposed rule concerning procedures for handling requests for public information. (*Attachment VIII*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY DR. KHAN, THE BOARD APPROVED THE PROPOSED RULE CONCERNING PROCEDURES FOR HANDLING REQUESTS FOR PUBLIC INFORMATION FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Joan Carol Bates, Assistant General Counsel, requested approval of proposed repeal and new rule concerning a petition for adoption of a rule that will inform individuals of how to petition the Board of Health for a rule in compliance with requirements of Government Code, §2001.021. (*Attachment IX*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MR. MCCLESKEY, THE BOARD APPROVED THE PROPOSED RULES CONCERNING A PETITION FOR ADOPTION OF A RULE FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Sherry Mansell, Legal Assistant, Office of General Counsel, requested approval of proposed repeal of rules concerning the use of Texas Department of Health (TDH) facilities by public health-related organizations and public health employees, and proof of payment of corporate franchise taxes by TDH contractors and licensees. (*Attachment X*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED THE PROPOSED REPEAL OF THE RULES CONCERNING THE USE OF TDH FACILITIES BY PUBLIC HEALTH RELATED ORGANIZATIONS AND PUBLIC HEALTH EMPLOYEES, AND PROOF OF PAYMENT OF FRANCHISE TAXES BY CORPORATIONS CONTRACTING WITH TDH OR APPLYING FOR A LICENSE FROM THE TDH FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Mary Ann Slavin, Assistant General Counsel, requested approval of a proposed rule concerning the procurement of professional services, as required by the Health and Safety Code, §12.0121. This rule addresses the definition of professional services, a listing of categories of professional services providers, and the methods for selection of those providers. (*Attachment XI*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED A PROPOSED RULE CONCERNING THE PROCUREMENT OF PROFESSIONAL SERVICES FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Elaine Snow, Assistant General Counsel, requested approval of a proposal to repeal rules concerning federal laws and regulations governing Texas public health services. These repeals as proposed will eliminate obsolete provisions and avoid redundancy in the department rules. (*Attachment XII*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MR. HANNIGAN, THE BOARD APPROVED A PROPOSAL TO REPEAL RULES CONCERNING FEDERAL LAWS AND REGULATIONS GOVERNING TEXAS PUBLIC HEALTH SERVICES FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Mr. Michael G. Young, Assistant General Counsel, requested approval of a repeal of a rule concerning block grant hearing procedures. The department has reviewed the section and has determined that reasons for its adoption no longer continue to exist. (*Attachment XIII*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY DR. KHAN, THE BOARD APPROVED THE PROPOSED REPEAL OF A RULE CONCERNING BLOCK GRANT HEARING PROCEDURES FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Linda S. Wiegman, Deputy General Counsel, requested approval to repeal a rule concerning pharmacy services that were part of the Vendor Drug Program. Due to the recent transfer of Medicaid rules from the department to the Health and Human Services Commission, this section is no longer required as a department rule. (*Attachment XIV*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MR. HANNIGAN, THE BOARD APPROVED THE PROPOSED REPEAL OF A RULE CONCERNING PHARMACY SERVICES FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Laura J. Tabony, M.P.H., VAERS/Surveillance Coordinator, Immunizations Division, requested approval of proposed rules concerning the addition of invasive infections of *Streptococcus pneumoniae* to the list of reportable conditions in Texas. (*Attachment XV*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY DR. KHAN, THE BOARD APPROVED THE PROPOSED RULES CONCERNING THE ADDITION OF INVASIVE INFECTIONS OF *STREPTOCOCCUS PNEUMONIAE* TO THE LIST OF REPORTABLE DISEASE CONDITIONS IN TEXAS FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Sherry Clay, Director, Quality and Regulatory Affairs Division, Bureau of Laboratories, requested approval of proposed rules concerning laboratory testing, training of laboratorians, fees, sale of laboratory services and certification of milk and shellfish laboratories. (*Attachment XVI*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY DR. KHAN, THE BOARD APPROVED PROPOSED RULES CONCERNING LABORATORY SERVICES AND FEES FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Linda Wiegman, Deputy General Counsel, requested approval to repeal rules concerning Medicaid purchased health services. Due to the recent transfer of Medicaid rules from the department to the Health and Human Services Commission, these sections are no longer required as department rules. (*Attachment XVII*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED THE PROPOSED REPEAL OF RULES CONCERNING PURCHASED HEALTH SERVICES FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Jane Mahlow, DVM, MS, Division Director, Zoonosis Control, requested approval of proposed amendments to rules concerning rabies control and eradication. These modifications will clarify the intent of the Texas Legislature to not exempt any animal impoundment facilities from the requirement to meet minimum standards as reflected in Texas Health and Safety Code, Chapter 826. (*Attachment XVIII*)

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY MR. HANNIGAN, THE BOARD APPROVED THE PROPOSED RULES CONCERNING RABIES CONTROL AND ERADICATION FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Mr. Thomas E. Brinck, Device Compliance and Enforcement Director, Drugs and Medical

Devices Division, Bureau of Food and Drug Safety, requested approval of proposed repeals and new rules concerning the regulation of food, drug, device, and cosmetic salvage establishments and brokers will clarify and update the minimum standards for salvagers of these products in order to bring the requirements into conformance with the statutory provisions of Senate Bill 1080, passed during the 77th Legislature (2001), which amended the Health and Safety Code, Chapters 431, 432 and 483. (*Attachment XIX*)

A MOTION WAS MADE BY MS. SCHOLIN AND SECONDED BY DR. ANZALDUA TO APPROVE THE PROPOSED RULES CONCERNING REGULATION OF FOOD, DRUG, DEVICE AND COSMETIC SALVAGE ESTABLISHMENTS AND BROKERS FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Dr. Anzaldua called for discussion and recognized persons to give public comment.

Mr. Jeff Brooks, Vice President, Association of Texas Medical Equipment Dealers; President of T Medical System of Fort Worth, spoke in opposition of these rules stating his opinion that the rules do not reflect an understanding of the used medical equipment industry. He voiced a complaint about the stakeholder process because he believed stakeholders were not allowed to be involved in the writing of the rules.

Mr. Louis Brooks, Facilities Manager and Director of Engineering, Georgetown Hospital, spoke in opposition of these rules stating his opinion that the restriction poses an undue and unnecessary requirement. They feel hospitals should be exempt from this rule or regulation as it is written.

A discussion followed among the Board members and Mr. Richard Bays, Associate Commissioner, Consumer Health Protection, regarding the issues addressed during public comment. Dr. Anzaldua called for a vote. The Board approved the motion.

Mr. Alan Morris, Director, Toxic Substances Control Division, requested approval of proposed rules concerning voluntary Indoor Air Quality (IAQ) guidelines for government buildings. House Bill

2008, 77th Legislative Session, 2001, amended Chapter 385 of the Health and Safety Code to require the Texas Board of Health to establish voluntary guidelines for indoor air quality for government buildings instead of public school buildings as originally written. (*Attachment XX*)

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY MR. HANNIGAN, THE BOARD APPROVED THE PROPOSED RULES CONCERNING VOLUNTARY INDOOR AIR QUALITY GUIDELINES FOR GOVERNMENT BUILDINGS FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Mr. Derek J. Jakovich, Director, Licensing and Enforcement Division, Bureau of Food and Drug Safety, requested the repeal and new rule concerning the processing of license/permit applications relating to food and drug operations. The proposal will change the title of the subchapter and new rule and update the language so it complies with the Texas Government Code, Chapter 2005 relating to permit processing. (*Attachment XXI*)

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY MR. HANNIGAN, THE BOARD APPROVED THE PROPOSED REPEAL AND NEW RULE CONCERNING THE PROCESSING OF LICENSE/PERMIT APPLICATIONS RELATING TO FOOD AND DRUG OPERATIONS FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Jim Zukowski, Ed.D., Director, Professional Licensing and Certification Division, Bureau of Licensing and Compliance, requested approval of proposed rules concerning the registration of sanitarians. The amendments and new rule are necessary to offset current program operating costs and increase the efficiency of the program. (*Attachment XXII*)

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY MR. MCCLESKEY, THE BOARD APPROVED THE PROPOSED RULES CONCERNING THE REGISTRATION OF SANITARIANS FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Mr. Jim Arnold, Assistant Bureau Chief, Bureau of Emergency Management, requested approval of proposed repeal and new rule concerning the licensure of paramedics for emergency medical services

(EMS) personnel. (*Attachment XXIII*)

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY DR. ANZALDUA, THE BOARD APPROVED THE PROPOSED REPEAL AND NEW RULE CONCERNING THE LICENSURE OF PARAMEDICS FOR EMERGENCY MEDICAL SERVICES (EMS) PERSONNEL FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Mr. Jim Arnold, Assistant Bureau Chief, Bureau of Emergency Management, requested final adoption of a repeal and new rules concerning the standards and requirements for continuing education for emergency medical services (EMS) personnel. (*Attachment XXIV*)

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY DR. ANZALDUA, THE BOARD APPROVED AN ORDER ADOPTING THE RULES CONCERNING THE STANDARDS AND REQUIREMENTS FOR CONTINUING EDUCATION FOR EMERGENCY MEDICAL SERVICES (EMS) PERSONNEL TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Ms. Annabelle Dilliard, Chief, Field Office and Compliance Branch, Product Safety Division, requested final adoption of rules concerning the regulatory requirements for the retail sale of abusable volatile chemicals. Final adoption of new rules are required to replace the repealed section and to implement the changes resulting from HB 2950, which became effective September 1, 2001. (*Attachment XXV*)

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY DR. ANZALDUA, THE BOARD APPROVED AN ORDER ADOPTING THE RULES CONCERNING THE REGULATORY REQUIREMENTS FOR THE RETAIL SALE OF ABUSABLE VOLATILE CHEMICALS TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Ms. Suzanne Sparks, Office of Public Health Practice, requested final adoption of amendments to the rules concerning the Public Health Improvement Grants. The amendments more clearly define key terms and the criteria for awarding grants under this program. (*Attachment XXVI*)

ON A MOTION MADE BY MR. HANNIGAN AND SECONDED BY DR. KHAN, THE BOARD APPROVED AN ORDER ADOPTING THE RULES CONCERNING PUBLIC HEALTH IMPROVEMENT GRANTS TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Ms. Machele Pharr, Chief Financial Officer, requested approval of staff recommendations in the FY 2002 Fee Review as required by TDH Rider 7 in the FY 2002-2003 General Appropriations Act. (*Attachment XXVII*)

ON A MOTION MADE BY MR. HANNIGAN AND SECONDED BY DR. KHAN, THE BOARD APPROVED THE STAFF RECOMMENDATIONS IN THE FY 2002 FEE REVIEW.

Ms. Machele Pharr, Chief Financial Officer, presented the Strategic Financial Issues Report for the third quarter ending May 31, 2002 that provided an overview of financial activities based on data and highlighted issues that may impact operations of the agency for the remainder of the year. Mr. Al Beavers, Historically Underutilized Businesses (HUB) Coordinator, gave the HUB report for the third quarter of 2002. Mr. Tim Horn, Owner's Representative, Laboratory Building Project, presented an update on the construction and expenditures of the new laboratory building. Dr. Rick Danko, Director, Office of Strategic Health Planning, gave a summary of the Health and Human Services (HHS) Priority Quarterly Progress Report which is the coordinating and streamlining of services among the HHS agencies. No action was taken. (*Attachment XXVIII*)

Ms. Machele Pharr, Chief Financial Officer, requested approval to allow the department to operate during the first several days of the new fiscal year beginning September 1, 2002 - September 5, 2002 at the FY 2002 level since action by the Board on the FY 2003 Operating Budget will not happen until the September 5, 2002 Board meeting.

ON A MOTION MADE BY MR. HANNIGAN AND SECONDED BY DR. KHAN THE BOARD APPROVED THE CONTINUATION OF DEPARTMENT PROGRAMS AND SERVICES AT THE FY 2002 LEVEL AS ADJUSTED BY THE SEVENTY-SEVENTH LEGISLATURE FROM SEPTEMBER 1, 2002 – SEPTEMBER 5, 2002.

Ms. Machele Pharr, Chief Financial Officer, requested approval of the submission of the Legislative Appropriations Request (LAR) for the 2004-2005 biennium. (*Attachment XXIX*)

A MOTION WAS MADE BY MR. HANNIGAN AND SECONDED BY DR. KHAN TO APPROVE THE LEGISLATIVE APPROPRIATIONS REQUEST FOR THE 2004-2005 BIENNIUM.

Dr. Anzaldua recognized persons to give public comment.

Ms. Susan Murphree, Disability Policy Consortium, spoke in support of the exceptional item for the Children with Special Health Care Needs. She represents a 19-member group of different disability organizations in Texas. They have a strong interest in the CSHCN program and support it. She thanked the department for considering the minimum amount as an exceptional item and requested consideration of raising the amount.

Ms. Annette Glass, Clerk for the House Committee on Environmental Relations, chaired by Representative Warren Chisum, spoke in favor of the Bureau of Radiation Control Program staffing exceptional item request. She stated Representative Chisum feels this is a critical priority and is revenue neutral. He would also like to request the Laser Program and Perpetual Care Fund be added to the Legislative Appropriations Request because they are needed and both items are also revenue neutral.

Dr. Anzaldua called for a vote. The Board approved the Legislative Appropriations Request as submitted by staff.

Rick Danko, Dr. P.H., Director, Office of Strategic Health Planning, presented the Targets for Improvement in the Public Health Improvement Plan: State Strategic Health Plan – Part II and requested approval for publication by September 1, 2002. The document serves to meet the agency's Sunset legislation requirement to develop a biannual comprehensive strategic and operational plan. The Office of Strategic Health Planning may make minor editorial changes that will not affect the meaning of the plan. Hallie Overton, Ph.D., Office of Strategic Health Planning, spoke regarding the target that relates to the process for setting statewide health and systems improvement goals and other targets that relate to the operational steps to improve the department's coordination and alignment.
(Attachments XXX – XXXI)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED THE PUBLICATION OF THE PUBLIC HEALTH IMPROVEMENT PLAN: STATE STRATEGIC HEALTH PLAN – PART II.

Dr. Anzaldua and the Board congratulated Drs. Danko and Overton and staff for a great job on a document that encapsulates what the department is trying to accomplish.

Mr. Mark Scott, CPA, MBA, Director of Internal Audit, reported on recent audits issued including a presentation regarding the relationship between monitoring and auditing, and the Contract Monitoring Report. No action was taken. (*Attachment XXXII*)

Mr. Ben Delgado, Deputy Commissioner for Administration, presented an update on the recent activities of each of the eight workgroups associated with the Health and Human Services Administrative Services Improvement Project. The Texas Department of Health is the lead agency for the Human Resources consolidation. No action was taken. (*Attachments XXXIII - XXXIV*)

Mr. Bobby Lane gave an update on the activities of the Business Improvement Team. The Team is also assisting the State Auditor's Office (SAO) in their current review of the Business Improvement Team activities and will have additional information on the SAO's progress to date. No action was taken.

Ms. Susan K. Steeg, General Counsel, presented an overview of the department's process for developing legislative initiatives. Mr. Richard Bays, Associate Commissioner, Associateship for Consumer Health Protection, presented proposed legislative initiatives for the 2003 legislative session and requested approval to obtain appropriate stakeholder input and move forward with session preparations. (*Attachment XXXV*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MR. MCCLESKEY, THE BOARD APPROVED THE PROPOSED LEGISLATIVE INITIATIVES FOR THE 2003 LEGISLATIVE SESSION FOR STAKEHOLDER INPUT AND TO MOVE FORWARD WITH SESSION PREPARATIONS.

Charles E. Bell, M.D., Executive Deputy Commissioner, presented an update on the application for supplemental funding for the Centers for Disease Control and Prevention public health preparedness grant and an update on Health Resources and Services Administration bioterrorism hospital preparedness program. (*Attachment XXXVI*)

Dr. Sanchez shared feedback from a local health department director who had recently attended a National Association of City/County Health Officials meeting. During a session where local health departments gave their views on how their respective state health departments managed the bioterrorism application for grant monies, Texas was one of a few states where local health department directors

reported the working relationship with the state health department was a very positive one. The local health departments felt they had been a part of the process because they were invited to participate from the very beginning. Dr. Sanchez acknowledged Drs. Bell, Stanley and Perrotta, Ms. Francesa Kupper and staff for developing a positive working relationship with local health departments in a collaborative effort to develop the state plan. No action was taken.

Ms. Rachel Rosales, Program Coordinator, Pesticide Exposure Surveillance in Texas (PEST Program), Environmental Epidemiology and Toxicology Division, gave a presentation regarding the purpose, activities and funding of the PEST Program. They have funding through 2003 and are requesting additional funding. No action was taken. (*Attachment XXXVII*)

Ms. Judy Whitfield, Program Coordinator, Poison Control Program, Bureau of Epidemiology, gave an update on the Texas Poison Center Network, poison control activities and highlighted concerns of the Commission on State Emergency Communications for the next legislative session. Poison Center funding is second only to immunizations in public health cost effectiveness. No action was taken. (*Attachment XXXVIII*)

Dr. Anzaldua recognized persons to give public comment.

Mr. Paul Mallett, Executive Director, Commission on State Emergency Communications (CSEC), stated that the Texas Poison Network discussed the partnership between the CSEC and the department and the need for adequate resources to fund the network. (*Attachments XXXIX - XL*)

Ms. Karen Hadden, Sustainable Energy and Economic Development (SEED) Coalition, requested that the department seek a \$3 million exceptional item funding request for the monitoring of mercury in fish. The coalition is concerned about the affect mercury in contaminated fish has on children and pregnant women. (*Attachment XLI*)

Dr. Anzaldua announced the next meeting of the Texas Board of Health will be held on Thursday, September 5, 2002, in Austin.

The meeting was adjourned on Thursday, July 25, 2002, at 6:05 p.m.

APPROVED: September 5, 2002

Mario R. Anzaldua, M.D., Chair
Texas Board of Health

Date

George H. McCleskey, Vice-Chair
Texas Board of Health

Date